

S1 S2

Title: TECHNIQUE FOR COLLECTING
OPERATING INFORMATION FROM
NETWORK ELEMENTS, AND FOR
CONTROLLING NETWORK ELEMENT
BEHAVIOR IN A FEEDBACK-BASED,
ADAPTIVE DATA NETWORK

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on December 7, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22303-1450.

Signed:

Joyce L. Ferreira

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

ATTENTION: Refund Section, Accounting Division, Office of Finance
Mail Stop 17
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 500388 shown on the statement dated November 3, 2004 (Control No. 6) for the above-identified patent. A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

The fees charged to the deposit account are in the amount of \$234. When broken down, the \$234 is for payment of 13 extra total claims.

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

It is respectfully requested that a refund in the amount of \$234 be credited to our deposit account because the required fee of \$234 was submitted with the filing of the RCE application. On October 28, 2004, Applicant's attorney of record submitted an RCE and Amendment for submission to the PTO in response to the outstanding Final Office Action of July 28, 2004. On October 28, 2004, an Amendment was filed which included 52 total claims and 4 independent claims. Applicant's previously paid for 39 total claims and 4 dependent claims. Applicant's submitted check #9837 in the amount of \$1024 for the RCE filing (\$790) and 13 extra total

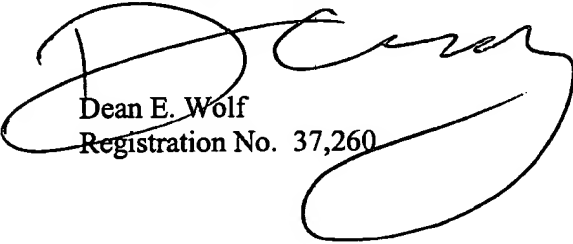
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claims (\$234). A copy of the check and the return stamped postcard indicating receipt of the same is enclosed for your review.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 500388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


Dean E. Wolf
Registration No. 37,260

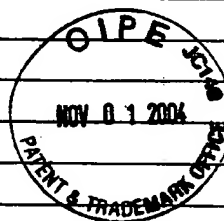
P.O. Box 778
Berkeley, CA 94704-0778

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| | | | | | |
|-----------|---|--------------|----------|-----------------------|------------------|
| Docket # | CISCP111/1075 | By: | DEW/nm | Date of this mailing: | October 28, 2004 |
| Appl'n #: | 09/342,742 | Filing Date: | 06/29/99 | Express Mail # | |
| Inv(s) | Natarajan <i>et al.</i> | | | | |
| Title: | TECHNIQUE FOR COLLECTING OPERATING INFORMATION FROM NETWORK ELEMENTS, AND FOR CONTROLLING NETWORK ELEMENT BEHAVIOR IN A FEEDBACK-BASED, ADAPTIVE DATA NETWORK | | | | |

The following have been received in the U.S. Patent Office on the date stamped hereon:

| Item | Description | # Pgs |
|------|--|-------|
| 1. | RCE Transmittal w/certificate of Mailing | 02 |
| 2. | Amendment Transmittal w/certificate of mailing | 01 |
| 3. | Amendment G w/cert of mailing | 12 |
| 4. | Check # 9837 for \$1,024.00 | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |



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BEYER WEAVER & THOMAS, LLP
 SEEN/CONFIRMED
 BY DOCKETING DEPT.
 DATE: 11/16/04 BY: ell



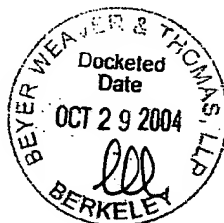
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BEYER WEAVER & THOMAS, LLP
Commissioner of Patents & Trademarks

10/28/2004

0983

| INVOICE DATE | INVOICE NUMBER/REFERENCE | INVOICE AMOUNT | DISCOUNT | BALANCE |
|--------------|--|----------------|----------|----------|
| 10/28/2004 | CISCP111 Filing Fee \$790.00; Claims \$234.00 | \$790.00 | \$0.00 | \$790.00 |

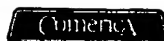


Check Number: 9837

Check Total: \$790.00

SECURITY: ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDERS. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

BEYER WEAVER & THOMAS, LLP
590 W. EL CAMINO REAL
MOUNTAIN VIEW, CA 94040
(650) 961-8300



COMERICA BANK OF CALIFORNIA
San Jose Main Office
333 West Santa Clara Street
San Jose, CA 95113

90-3752/1211

0983

PAY Seven hundred ninety and NO/100

TO THE
ORDER
OF

Commissioner of Patents & Trademarks
P O Box 1450

DATE
10/28/2004

AMOUNT
\$790.00

TWO SIGNATURES REQUIRED ON AMOUNTS OVER \$5,000.00

2. **Fees:** (The RCE fee is required at the time the RCE is filed.)

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Fee Calculation (37 CFR §1.16)

| | | |
|--|---------|--------|
| Fee for Request for Continued Examination Under 37 C.F.R. §1.17(e) | \$790 = | 790.00 |
| TOTAL | | 790.00 |
| SMALL ENTITY 50% FILING FEE REDUCTION (if applicable) | | |

- ☐ a. Applicant hereby petitions for a month extension of time.
- ☒ b. Applicant believes that no (additional) extension of time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorizes the Director to charge the required fees for an extension of time under 37 CFR §1.136 to Deposit Account No. 500388.
- ☒ c. Enclosed is our Check No. 9837 in the amount of \$1,024.00 to cover the RCE fee and additional claim fees.
- ☒ d. The Director is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. CISC111)

3. ☒ Please continue to send correspondence to the following address:

Customer Number 022434

022434

Date: October 28, 2004



Dean E. Wolf
Registration No. 37,260

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Natarajan et al.
 Application No.: 09/342,742
 Filed: June 29, 1999

Attorney Docket No.: CISC111/1075

Examiner: Dmitry Levitan

Title: Technique For Collecting Operating
 Information From Network Elements, And
 For Controlling Network Element Behavior
 In A Feedback-Based, Adaptive Data
 Network

Group: 2662

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on October 28, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Natalie Morgan

AMENDMENT TRANSMITTAL

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 Sir:

Transmitted herewith is an Amendment in the above-identified application.
 The fee has been calculated as shown below.

| | Claims After Amendment | | Highest Previously Paid For | Present Extra | Small Entity Rate Fee | Large Entity Rate Fee |
|--|------------------------------|-------|-----------------------------------|------------------|--------------------------|--------------------------|
| Total Claims | 52 | MINUS | 39 | 13 | x 9 = | x 18 = 234.00 |
| Independent Claims | 4 | MINUS | 4 | 0 | x 44 = | x 88 = 0 |
| Multiple Dependent Claim Present and Fee Not Previously Paid | | | | | \$150.00 | \$300.00 |
| Total | | | | | \$ | \$234.00 |

- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- ☒ Enclosed is our Check No. 9837 in the amount of \$1,024.00 to cover the additional claim fee and RCE filing fee.
- ☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. CISC111).

Respectfully submitted,
 BEYER WEAVER & THOMAS, LLP

Dean E. Wolf
 Reg. No. 37,260

P.O. Box 778
 Berkeley, CA 94704